

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

DAVID PETE DOMINGUEZ,

Petitioner,

v.

THOMAS SCARANTINO, WARDEN, et al.,

Respondents.

Case No. CIV-16-1430-M

**ORDER
FOR RESPONSE TO PETITION FOR WRIT OF
HABEAS CORPUS BY A PERSON IN
FEDERAL CUSTODY PURSUANT TO 28 U.S.C. §2241**

After examination of the Petition for Writ of Habeas Corpus [Doc. No. 1] filed pursuant to 28 U.S.C. § 2241, the Court orders the following:

1. Respondents shall file a response to the allegations of the Petition within thirty days of the date of this Order, consistent with Rule 5 of the Rules Governing Section 2254 Cases.¹ The response should address whether any claim in the petition is barred by a failure to exhaust available remedies, a procedural bar, or a statute of limitations. If necessary, the response should further include an analysis of each of the grounds for relief alleged in the Petition and any cases and supporting documents relied upon by Respondents in opposition to those grounds.
2. If Respondents file an answer or other response, Petitioner may file a reply within fourteen days of the filing date. If Respondents file a motion, Petitioner may file a response within twenty-one days of the filing date.
3. The Clerk of Court is directed to serve copies of the Petition and this Order by certified mail upon Respondents and upon the United States Attorney for the Western District of Oklahoma on behalf of Respondents.

DATED this 27th day of December, 2016.



BERNARD M. JONES
UNITED STATES MAGISTRATE JUDGE

¹ The Court may apply the Rules Governing Section 2254 Cases to habeas petitions arising under § 2241. See Rule 1(b); *Boutwell v. Keating*, 399 F.3d 1203, 1210 n. 2 (10th Cir. 2005).